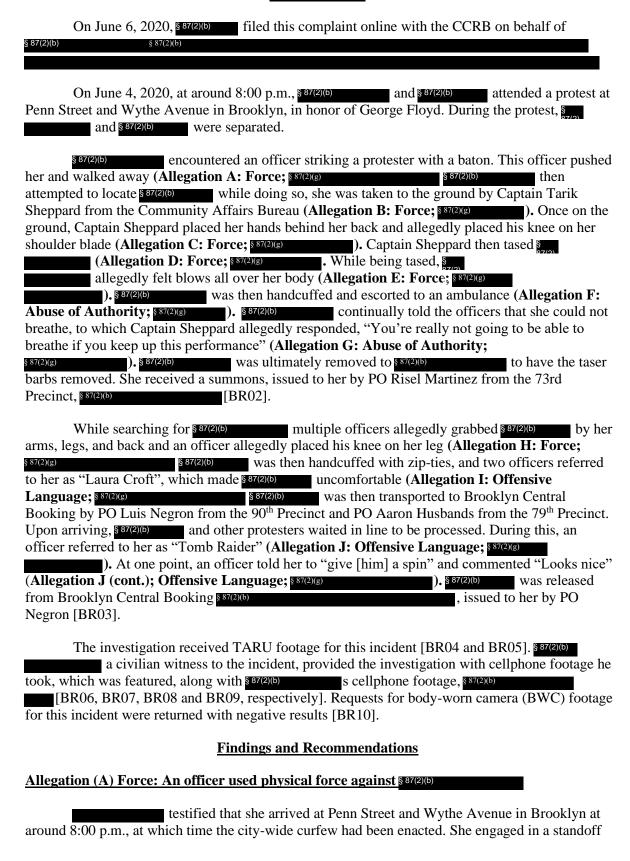
CCRB INVESTIGATIVE RECOMMENDATION

Investigator:	1	Team:	CCRB Case #:	✓ Force	☐ Discourt.	☐ U.S.
Genevieve Lamont	ı	Squad #8	202003980	✓ Abuse	O.L.	☐ Injury
Incident Date(s)		Location of Incident:	•	Precinct:	18 Mo. SOL	EO SOL
Thursday, 06/04/2020 9:19 PM 06/04/2020 9:20 PM	• 1	Intersection of Penn S Avenue	Street and Wythe	90	12/4/2021	5/4/2022
Date/Time CV Reported		CV Reported At:	How CV Reported	l: Date/Tim	e Received at CC	RB
Sat, 06/06/2020 1:27 AM		CCRB	On-line website	Sat, 06/06	5/2020 1:27 AM	
Complainant/Victim	Type	Home Add	ress			
		_				
		-				
Witness(es)		Home Add	ress			
Subject Officer(s)	Shield	TaxID	Command			
1. Officers						
2. An officer						
3. CPT Tarik Sheppard	00000	945351	C A B			
Witness Officer(s)	Shield No	Tax No	Cmd Name			
1. POM Aaron Husbands	04274	965752	079 PCT			
2. POM Risel Martinez	22049	953063	073 PCT			
3. POM Luis Negron	26287	968665	090 PCT			
4. DTS Jonadel Dorrejo	3595	943413	C A B			
Officer(s)	Allegation	n		Inv	estigator Recor	nmendation
A. An officer	Force: An	officer used physical	force against § 87(2)(b)			
B.CPT Tarik Sheppard	Force: Ca § 87(2)(b)	ptain Tarik Sheppard	used physical force a	against		
C.CPT Tarik Sheppard	Force: Ca § 87(2)(b)	ptain Tarik Sheppard	used physical force a	ngainst		
D.CPT Tarik Sheppard	Force: Ca	ptain Tarik Sheppard	used a taser against§	87(2)(b)		
E. Officers	Force: Of	ficers used physical fo	orce against § 87(2)(b)			
F. Officers	Abuse: Of	fficers detained § 87(2)(b	9)			
G.CPT Tarik Sheppard	Abuse: Ca	aptina Tarik Sheppard with the use of force				
H. An officer	Force: At	the				
	§ 87(2)(b) Brooklyn,	an officer used physic	ical force against § 87(2	in 2)(b)		

Officer(s)	Allegation	Investigator Recommendation
I. An officer	Off. Language: At the \$87(2)(b) in Brooklyn, an officer made offensive remarks to \$87(2)(b)	
J. Officers	Off. Language: At Brooklyn Central Booking in Brooklynm officers made offensive remarks to § 87(2)(b)	
	§ 87(4-b), § 87(2)(g)	
§ 87(2)(b)	§ 87(4-b), § 87(2)(g)	

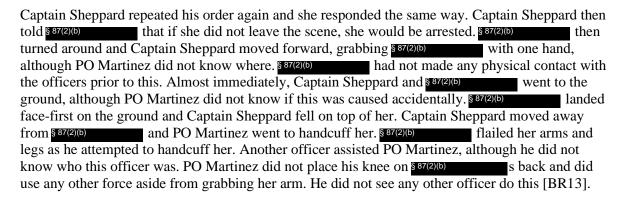
Case Summary



between police officers and about 50 protesters. After about ten minutes, she and the rest of the protesters began to walk away from the line of officers, realizing that they would not be able to get past them. As the crowd began to walk away, the officers entered the crowd and began to tackle and arrest protesters. ST(2)(6) ran to the sidewalk and hid behind a stack of trashcans next to an apartment building, about 20 feet from the crowd. After a few minutes, ST(2)(6) began to record the officers on her phone, specifically an officer who was hitting a protester with his baton. ST(2)(6) did not know who this protester was. As she was recording, she yelled at the officer to leave to protester alone. The officer then approached ST(2)(6) and she asked him if he was going to hit her. The officer then pushed her with his hands but did not hit her with his baton. He then walked away. ST(2)(6) did not know who this officer was, but described him as white male, standing 6'4'' tall, in a white-shirt uniform. She did not have any further contact with this officer and did not see him again for the duration of the incident [BR11].
shows a male officer in a white shirt approach \$87(2)(b) who is heard shouting to the officers, "Are you going to hit me?" The officer then comes up to \$87(2)(b) and the camera jostles back, indicating that the officer pushed or contacted her in some way. The officer's name and shield number cannot be seen, as it is covered by a black band. The officer then walks away [BR09].
The officers interviewed for this investigation testified that they did not see anyone in the vicinity of \$87(2)(5) before approaching her and were unable to identify this officer [BR12, BR13, and BR14 respectively].
The investigation received the Tour 3 Resource Recap Log, Tour 3 Roll Call, Daily Vehicle Assignment, and the Command Log from the 90 th Precinct, where the incident occurred [BR15 and BR16]. The Detail Roster for June 4 was provided from Patrol Borough Brooklyn North (PBBN), although it was only prepared for the tour between 5:00 a.m. and 3:00 p.m. [BR17]. The Detail Memorandum, Post-Event Memorandum, and the Zone and Sector Maps were requested from PBBN, however they were not prepared [BR17].
Emergency Executive Order No. 119, issued by Mayor Bill de Blasio, ordered a City-wide curfew to be in effect each day from 8:00pm until 5:00am, beginning at 8:00pm on June 3, 2020 and ending at 5:00am on June 8, 2020. During this time, no persons or vehicles may be in public between the hours of 8:00pm and 5:00am [BR18].
While \$87(2)(b) s cellphone footage shows that an officer pushed or contacted her, his name and shield number is hidden. Additionally, the investigation could not locate any civilian or officer witnesses who could potentially provide additional identifying information for this officer. Additionally, the investigation identified officers present from the 73 rd , 79 th , 90 th Precinct, and Patrol Borough Brooklyn North, among other potential commands that were present on scene.
§ 87(2)(g)

Allegation (B) Force: Captain Tarik Sheppard used physical force against Allegation (C) Force: Captain Tarik Sheppard used physical force against S87(2)(b)

After being pushed, \$87(2)(b) began shouting \$87(2)(b) name to find her. After about a minute, she heard someone shout at her to leave the area \$67(2)(b) did not know if this was an officer). \$67(2)(b) turned around and saw Captain Sheppard running directly towards her She had not heard any other commands prior to seeing Captain Sheppard. She stated that she did not hear any commands issued to her by an officer or over a loudspeaker. Captain Sheppard tackle to the ground, maintaining contact with her upon hitting the ground. \$67(2)(b) landed on her knees and shoulders, face-first. Captain Sheppard placed her hands behind her back and placed his knee on her shoulder blade, pressing her into the ground. \$67(2)(c) stated that this caused her to squirm out of discomfort, as she is 120 pounds and Capta Sheppard, who stands 6'5" tall and weighs 220 pounds, was placing his full weight on her shoulder [BR11].
testified that he and his wife, \$87(2)(b) were familiar with \$87(2)(b) was taken to the ground, although \$87(2)(b) were following her tried to arrest her. \$87(2)(b) stated that the officers appeared to be hitting as one officer raised his hand and brought it down towards her. He was unsure whether this hand strike connected with \$87(2)(b) was not doing anything physically with her body to resist being handcuffed but was yelling for help while lying face down on the pavement. He did not see any officer place a knee on \$87(2)(b) s back [BR19].
Captain Sheppard testified that, upon responding to Wythe Avenue and Penn Street, he, Det. Dorrejo and PO Martinez, cleared the area, informing the protesters that they were in violatio of the curfew. Captain Sheppard approached \$87(2)(6) who was alone in the middle of the sidewalk and told her to leave the area. \$87(2)(6) responded, "Fuck you, pigs, I'm not going no-fucking-where." Captain Sheppard repeated this command three to four times, to which repeated a similar response each time. Captain Sheppard informed her if she did not leave, she would be arrested. \$87(2)(6) repeated, "Fuck you, pig." Captain Sheppard moved forward a couple of steps and grabbed \$87(2)(6) supper body. Upon being grabbed, \$87(2)(6) supper body. Upon being grabbed her to being grabbed. Captain Sheppard then tackled to to the ground but did not recall if he went to the ground with \$87(2)(6) She landed on her chest and Captain Sheppard ordered her to put her hands behind her back, which she refused to do. He then moved away from \$87(2)(6) while officers (he did not know who) attempted to handcuff \$87(2)(6) supper body. Upon being grabbed contact with them. He did not place his knee on \$87(2)(6) supper body. Upon being grabbed contact with them. He did not place his knee on \$87(2)(6) supper body. Upon being grabbed contact with them. He did not place his knee on \$87(2)(6) supper body. Upon being grabbed contact with them. He did not place his knee on \$87(2)(6) supper body. Upon being grabbed contact with them. He did not place his knee on \$87(2)(6) supper body. Upon being grabbed contact with them. He did not place his knee on \$87(2)(6) supper body. Upon being grabbed contact with them. He did not place his knee on \$87(2)(6) supper body. Upon being grabbed contact with them. He did not place his knee on \$87(2)(6) supper body. Upon being grabbed contact with them. He did not place his knee on \$87(2)(6) supper b
PO Martinez testified that he and Det. Dorrejo followed Captain Sheppard while he conducted crowd control. After a minute on scene, the officers encountered \$87(2)(b) who was by herself on the sidewalk. Captain Sheppard approached her and informed her she had to leave \$87(2)(b) responded "Fuck you pig" PO Martinez was two to three feet behind them



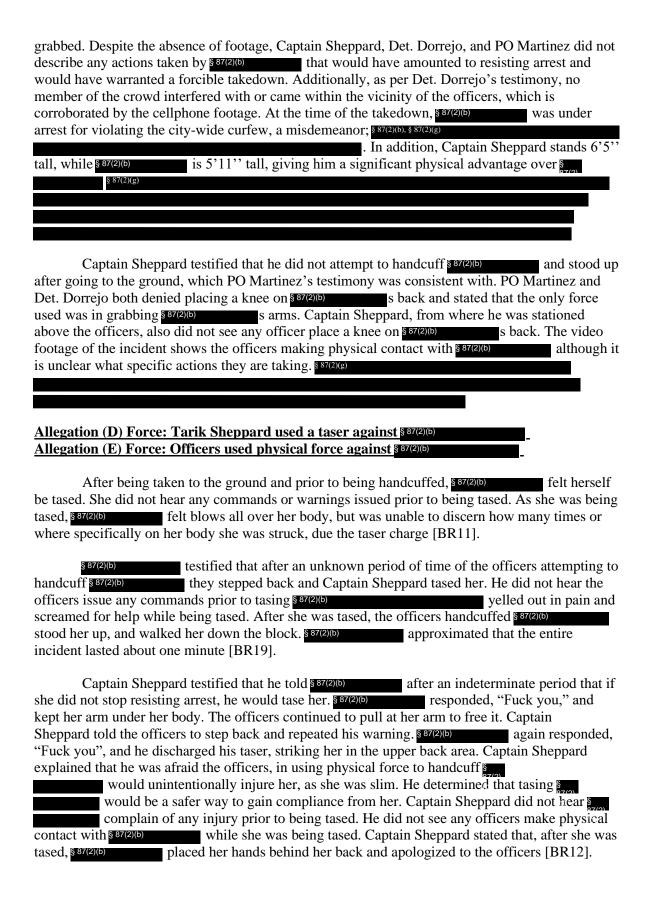
Det. Dorrejo testified that he, along with Captain Sheppard and PO Martinez arrived at the location in response to a radio call for officer assistance. After less than five minutes on scene, the officers encountered § 37(2)(b) who was standing mid-block on the sidewalk, in front of a crowd of 50 to 60 people. Det. Dorre jo stated that § 87(2)(b) was the loudest of the protesters there and was encouraging the crowd to stay. He, Captain Sheppard, and PO Martinez approached her, standing at a distance of about ten feet. Captain Sheppard told §87(2)(b) more than five times that if she did not leave the scene, then she would be arrested, to which \$87(2)(b) responded, "Fuck you, pig." Captain Sheppard then went to grab §87(2)(b) s arm. At this point, Det. Dorrejo moved towards the group of 50 to 60 protesters, whom he stated attempted to move towards to § 87(2)(b) and Captain Sheppard. He could not approximate how close the protesters got to § 87(2)(b) but stated that they did not "get close enough". As he was facing the crowd, he did not see how Captain Sheppard took [87(2)(b)] to the ground. He did not place a knee on § 87(2)(b) s back [BR14].

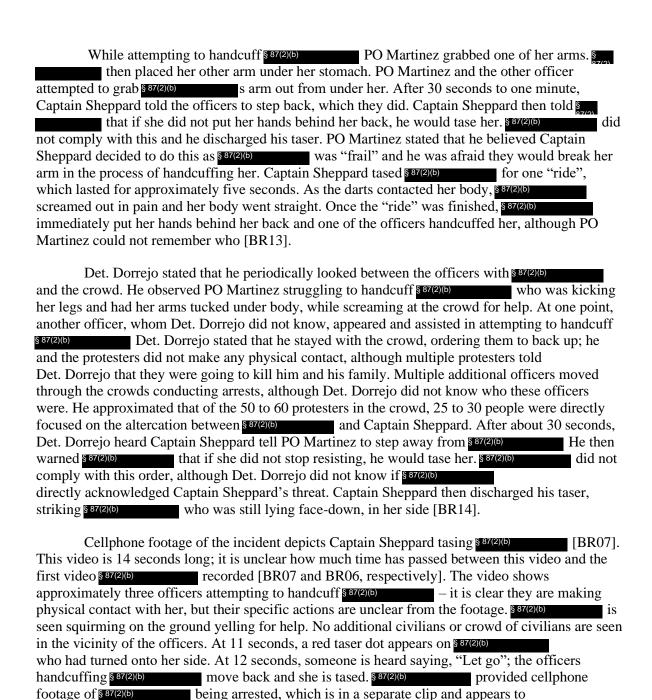
provided video footage of the incident, although the footage was provided in clips and did not continuously capture the whole incident. The cellphone footage did not capture the forcible takedown. It did not depict any crowd in the vicinity of \$37(2)(5) and the officers. Video footage depicts Captain Sheppard on the ground with \$37(2)(5) he is seen making physical contact with her, but it is unclear from the video what specific actions he is taking. It does not appear that he places a knee on her back. Three officers in riot gear, one of whom is assumedly PO Martinez, approach \$37(2)(5) and grab her arms to handcuff her. The video then ends [BR06]. Captain Sheppard, PO Martinez, and Det. Dorrejo were not equipped with BWC [BR12, BR13, and BR14 respectively].

Patrol Guide Procedure 221-01 states that the reasonableness of the use of force is based upon the totality of the circumstances known by the MOS at the time of the use of force (e.g. the nature and severity of the crime, actions taken by subject, duration of actions, Immediacy of perceived threat or harm to subject, members of the service, and/or bystanders, the size, age, and condition of the subject in comparison to the MOS, presence of hostile crowd or agitators, if the subject appears to be under the influence of stimulants/narcotics which would affect their pain tolerance or increase likelihood of violence, etc.). The Department examines the reasonableness of force viewed from the perspective of a member with similar training and experience placed into the same circumstances as the incident under investigation [BR20].

§ 87((2)(b), § 87(2)(g)		

Furthermore, both PO Martinez and PO Dorrejo did not observe \$87(2)(b) attempt to kick Captain Sheppard, or use force against any officer, and stated she had turned around prior to being





According to Patrol Guide Procedure 221-08, a member of force may use a conducted electrical weapon (CEW), such as a taser, against persons who are actively resisting, exhibiting active aggression, or to prevent individuals from physically injuring themselves or other person(s). When determining if using a CEW is reasonable, a member of service must consider the nature/severity of the crime/circumstances', actions taken by the subject, duration of the actions, immediacy of the perceived threat or harm to the subject, MOS, or bystanders, if the subject is

[BR08]. Captain Sheppard, PO Martinez, and Det. Dorrejo were not equipped with BWC [BR12,

s arm and placing her hand into a zip-tie. § 87(2)(b)

being tased. The video shows officers grabbing

is then stood up and walked down the block and out of the camera's view

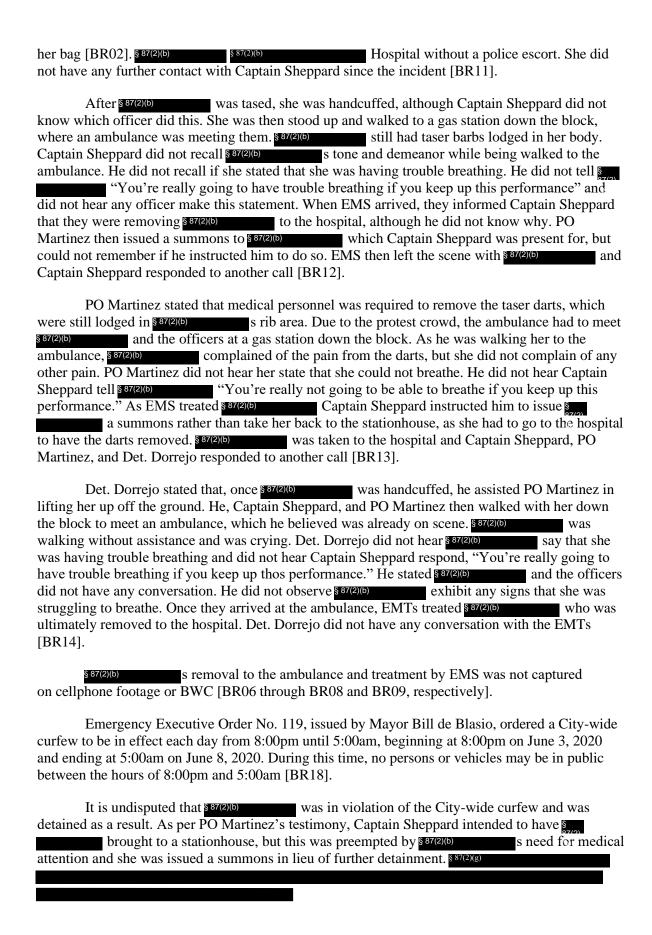
resume immediately after § 87(2)(b)

BR13, and BR14 respectivelyl.

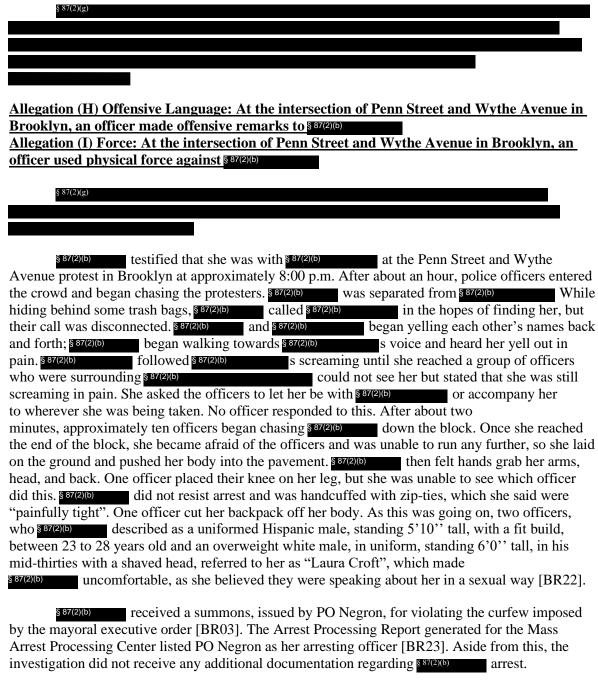
s other hand was already zip-

actively resisting custody, whether the subject is attempting to evade arrest by flight, number of subjects in comparison to the number of MOS, size, age, and condition of the subject in comparison to the MOS, and the subject's violent history (if know) [BR21].

weighs approximately 2 advantage over §87(2)(b)	Captain Sheppard stands 6'5' tall and 220 pounds; his size, age, and condition puts him at a significant physical who is 5'11" tall and weighs 120 pounds. \$87(2)(b). \$87(2)(g)
any potential injuries sh both acknowledged that which given the nature very brief period of tim vicinity, he acknowledge corroborated. In addition and maintain Furthermore, \$87(2)(b)	was tased to avoid the may have sustained through physical force, PO Martinez and Det. Dorrejon to only 30 seconds to one minute passed before \$37(2)(5) was tased, of her violation, and the fact that she did not kick or strike an officer, was a see. While Det. Dorrejon maintained that there was a large crowd in the good that no protesters attempted to interfere, which the cellphone footage on, Captain Sheppard did not mention this as a reason for tasing and this only reason for doing so was to prevent injuring \$37(2)(5) did not complain of any pain during the initial handcuffing attempt, oved to hospital due Captain Sheppard's actions.
but was ultimately fellio	oved to hospital due Captain Sheppard's actions.
was unable Captain Sheppard and F arms. Det. Dorrejo did	s cellphone footage shows officers making physical contact with he is tased, it is unclear what specific actions the officers take. To identify which officers grabbed her, as she was face-down on the ground. O Martinez denied using any force aside from pulling on \$87(2)(b) should be shown to observe any officers use physical force against \$87(2)(b) and product for \$85(6)(b) should be shown to observe the should be shown to observe the should be shoul
denied attempting to ha	indcuff her § 87(2)(g)
Allogation (F) Abuse	of Authority: Officers detained § 87(2)(6)
	of Authority: Captain Tarik Sheppard threatened § 87(2)(b)
with the use of force.	of Authority. Captain Tarik Shepparu tineateneu
William die de di loi cev	
After the taser	discharged, \$87(2)(0) was handcuffed with zip-ties and stood up. odged in her ribcage and waist area. An officer, unknown to the



CCRB Case # 202003980



PO Negron testified that he responded to Penn Street and Wythe Avenue after receiving a radio call requesting additional units to the scene. Two minutes after arriving on scene, PO Negron was approached by a lieutenant, whom he did not know, who passed him a male individual, already handcuffed. The lieutenant informed PO Negron to take this individual to the transport bus on scene. PO Negron did not observe this individuals' arrest. Afterwards, a captain approached PO Negron and instructed him to remain with the bus and accompany it to Brooklyn Central Booking. About three or four other individuals were additionally brought to the bus, but PO Negron did not know if they were male or female. He did not observe any arrests made while he was on scene. He did not see an officer place their knee on the leg of a female or use any other force. He did not hear

any officer refer to any protester as "Laura Croft" while he was on scene. Three other officers were on the bus; PO Negron only knew one, PO Husbands [BR24].

PO Husbands testified that, after responding to a call for police backup, Deputy Inspector Skretch from the 79th Precinct handed him a handcuffed woman and directed him to escort her to the transport bus on scene. PO Husbands did not see her get handcuffed and was not familiar with her. He was shown a photograph of \$87(2)(0) \$87(2)(0)\$, but did not recognize her and was not the person he escorted. After arriving at the transport bus, a captain approached PO Husbands and instructed him to stay with the bus, as he would be accompanying it to Brooklyn Central Booking. PO Husbands did not observe any protester arrested while he was on scene. He did not see any officer place a knee on a female protester's leg or use any other force. He did not hear any officer refer to a female protester as "Laura Croft" [BR25].

TARU footage received by the investigation did not capture this incident [BR04 and BR05]. No BWC footage was received for this incident [BR09].

As detailed above, the only documentation relation	ng to § 87(2)(b) arrest was prepared by
PO Negron, who stated that he did not observe §87(2)(b)	arrest and could only identify PO
Husbands as being present on scene. While \$87(2)(b)	provided descriptions of the officers who
arrested her, she did not obtain any identifying information	on for the officers. § 87(2)(b), § 87(2)(g)

Allegation (J) Offensive Language: At Brooklyn Central Booking in Brooklyn, officers made offensive remarks to \$87(2)(6)

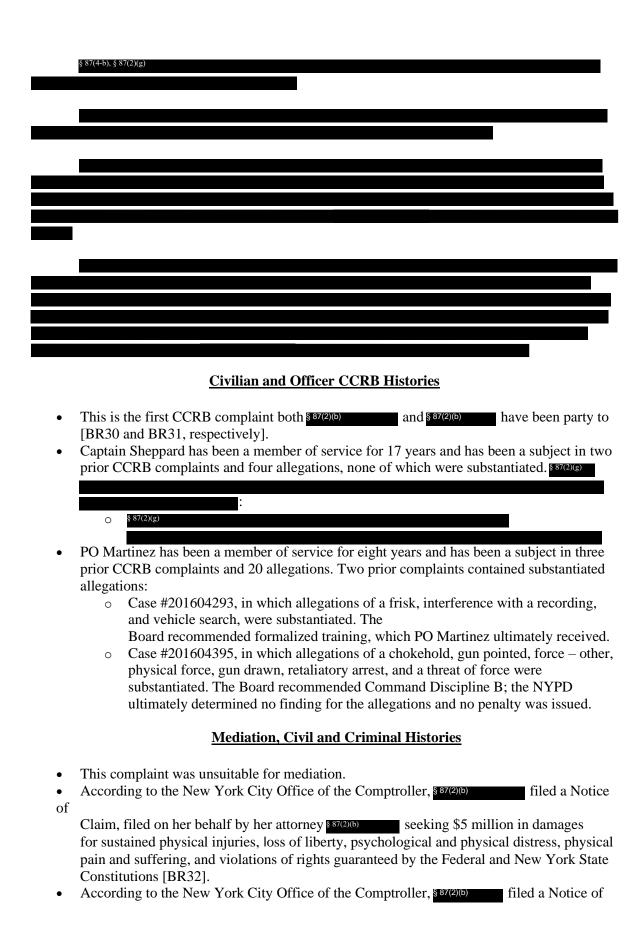
§ 87(2)(b), § 87(2)(g)

testified that, after she was handcuffed, she was placed into a bus, and was transported with other protesters to Brooklyn Central Booking, \$87(2)(5) and the other protesters waited in line for about two hours to being processed. While waiting in line, \$87(2)(b) dropped her backpack and the contents spilled on the ground. When she squatted down to retrieve them, the white male officer from Penn Street and Wythe Avenue commented, "What moves are you going to do, Tomb Raider". One female officer laughed uncomfortably at this, but then gave the officer a look, as if to quiet them. § 87(2)(b) stated that she continually asked officers to loosen her zipties, which were getting tighter due to holding onto her backpack. She asked one officer to loosen her handcuffs, to which the officer responded, "Why don't you give me a little spin?" spun around, stating she did not think at the time the sexual implications of what the officer had asked. The officer then responded, "Looks nice. The handcuffs are supposed to be tight." A female protester next to \$87(2)(b) said, "that's disgusting", to the officer. §87(2)(b) described the officer as a Middle Eastern male, with olive skin, standing 5'9"-5'10" tall, a "buff" built, in plainclothes with a white collared shirt, with short brown hair, wearing glasses, and in his mid-thirties. §87(2)(b) and the protesters were then placed in the holding cell, where she and another protester remained handcuffed. § \$7(2)(b) was finally released from her zip-ties after four or five hours of being initially handcuffed. She was released from Brooklyn Central Booking at around 1:30 a.m. with a summons for unlawful assembly [BR22].

After the bus was loaded, PO Negron, PO Husbands, and two other officers transported 24 protesters to Brooklyn Central Booking. Upon arriving at Central Booking, a supervising sergeant, whom PO Negron did not know, instructed him and PO Husbands that they would be issuing C-summons to the protesters on the bus. The two officers split the summonses. At one point, the protesters were lined up waiting to retrieve their property, but this was handled by the ten to twelve other officers at Central Booking. PO Negron did not have any protester inform him that his handcuffs were too tight. He did not observe any protester drop their backpack and an officer say, "What moves are you going to do, Tomb Raider", in response. He did not hear any officer tell a female protester to "give a spin" and say "looks nice" in response. Aside from writing the summonses, PO Negron did not take any additional police action. He left Brooklyn Central Booking at approximately 11:00 p.m.; the protesters from the bus were released some time before this [BR24].

PO Husbands' testimony was largely consistent with PO Negron. After an unknown time on scene, he transported the protesters on the bus to Brooklyn Central Booking. Upon arriving, he was instructed by an unknown supervising sergeant to issue summonses to the protesters they had transported. PO Husbands wrote the summonses with another officer, although he did not know who this officer was. At one point, the protesters were lined up outside waiting to be processed; he stated that this was the only time they were at a standstill. No protesters approached him and informed him that their zip-ties were too tight. He did not observe any individual drop their backpack while in line and did not hear any officer comment, "What moves are you going to do Tomb Raider?" in response. He did not see any officer tell a female protester to "give a spin" and say "looks nice", in response. It took PO Husbands approximately 45 minutes to an hour to write the summonses. Afterwards, the protesters, who had been lodged in the holding cells, were released. PO Husbands then left Brooklyn Central Booking and resumed his tour [BR25].

While provided detailed descriptions of the subject officers, she could not provide the officers names and shield numbers, and the investigation was unable to determine
which command the officers were from, as there were multiple officers from different commands,
like PO Negron and PO Husbands, present at Brooklyn Central Booking. §\$7(2)(g)
The FO Negron and FO Husbands, present at brooklyn Central Booking.
§ 87(4-b), § 87(2)(g)
<u>-</u>
-



Claim, filed on her behalf by her attorney \$87(2)(b), seeking \$5 million in damages for sustained physical injuries, loss of liberty, psychological and physical distress, physical pain and suffering, and violations of rights guaranteed by the Federal and New York State Constitutions [BR33].

According to the Office of Court Administration, neither \$87(2)(b), page 10.

§ 87(2)(b)	has	New York City [BR34 and BR3	
Squad No.:	8		
Investigator:	Genevieve Lamont Signature	Inv. Genevieve Lamont Print Title & Name	3/29/2021 Date
Squad Leader:	Ethan De Angelo Signature	IM Ethan De Angelo Print Title & Name	3/30/2021 Date
Reviewer:	Signature	Print Title & Name	 Date